

Beaver County
Beaver, UT 84713
August 1, 2005

The Board of County Commissioners met on August 1, 2005 at 10:00 a.m. for its regularly scheduled meeting. Those present were Mark S. Whitney, Chairman; William L. Dalton, Member; Chad W. Johnson, Member; Von J. Christiansen, Attorney; Bryan L. Harris, Commission Assistant; and Paul B. Barton, Clerk/Auditor.

Minutes of the July 5 & 18, 2005 meetings were read. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously passed to approve the minutes.

The Board met with representatives from the Twin M Soil Conservation District and the West Beaver Watershed Committee. Those attending the meeting were Lynn Kitchen, Randy Marshall, Jack McMullin, Mark Nelson, Rodney Carter, Wade Weldert and Derek Whipple. Mr. Whipple and Mr. Kitchen explained the watershed program and gave an update on the groups' activities. Mr. Whipple stated that the groups are soliciting the County's help with assistance in writing grants, obtaining information and financial assistance. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to contribute to the project in an amount to be determined.

Don Pettit met with the Board on a question for a simple land division. Craig Davis was also present for the discussion. The matter was tabled to later in the day.

Mr. Christiansen discussed ideas for enlistment of volunteer fire fighters. After discussion, it was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to offer free passes into the Minersville Park for all volunteers in the fire departments.

Terry Krasko, from the U.S. Forest Service, met with the Board to discuss tour arrangements on the proposed wilderness area on the Beaver mountain. The dates of the tour will be August 17 & 18, 2005. Mr. Harris will coordinate with the Forest Service.

Comm. Whitney discussed the adoption of a county dress code. After discussion, it was the consensus of the Board to send a letter to all departments requesting that shirts be worn with a collar and without advertisements, etc.

Comm. Dalton requested that Mr. Harris contact Congressman Cannon's office and encourage them to aggressively pursue the passing of legislation re: the Minersville Lake Park.

Bids on the Historic Courthouse renovation were reviewed. One bid was received on the painting from Church Painting Systems, LLC in the amount of \$29,900.00. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to accept the bid. Another bid for the demolition of the old jail addition was received from Rolling Construction in the amount of \$66,000.00. This bid was rejected because it was about 200% of the architect's estimate.

A Memorandum of Understanding with the State Historic Preservation Society on the Historic Courthouse was considered. Commissioner Johnson made a motion to approve signing the Memorandum of Understanding. The motion was seconded by Commissioner Dalton and passed unanimously.

Commissioner Whitney opened a public hearing on a proposed change to the fencing ordinance. The hearing was opened for comment at 1:00 p.m. Those present were Daniel Carter, Reed Carter, Debra Carter, Tera Bradshaw, Blake Marshall, Kelly Eyre, Chad Marshall, Chris Smith, Ray Yardley, Floyd Yardley, Joe Yardley, Gib Yardley, Dean Carter, Rodney Carter, Roger Carter, Kent Marshall, Pat Yardley, Dean Eyre, Carol Riley McCulley, Tammy Pearson, Shaun Pearson, Robert O. Christiansen, Steven Bradshaw, Marty Pearson, Hugh Blackburn, Maureen Verhaeren, Anthony Bealer, Grace M. Bealer, Mark Nelson, Mike Yardley, Wade Weldert, Sid Marshall, Jenni Marshall, Betty Marshall, Marie H. Marshall, Christina Marshall, Darrick Whipple, Beth James, Keith James, Russell Albrecht, Charles Anderson, Richard Limb, Bret Albrecht, Vanessa Albrecht, Blair Albrecht, Dolores Robinson Corwin, Catherine Baggs, Marlene Marshall, Greg Marshall, Carl Ashoff, Pete Yardley, Bruce Brown, Seth Davie, T.J. O'Sullivan, Russell Mayer, Mike Riley, Jeb Marshall and Todd Marshall. The main concern is whose responsibility it is to build the fence. The proposed amendment would require the property owner to fence out livestock where the private property borders, or is surrounded by multiple use (open range) land. The hearing was closed at 2:10 p.m. The Board discussed the issue. It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously approved to pass Ordinance No. 2005-10 - Amendments to the Fencing Requirements of Beaver County.

A public hearing was opened for comment at 2:15 p.m. on a proposed rezonement petition filed by Arrowhead Corporation. This land is located near LaBaron Lake on the Beaver Mountain. Those present were Craig Davis, Mike Riley, Mike Robinson and Norm Ostler. The petition would change the zone from MU-20 to FR-1. The Planning Commission had recommended the change. It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously passed to approve the zone change and adopt Ordinance No. 2005-12.

Carl Maples, from Circle Four Farms, met with the Board to discuss concerns re: county roads. Also present for the discussion was Doug Erickson, Road Supervisor. Mr. Maples is still concerned about the chip/seal of the Laho road. The Board is interested in reaching a long-term agreement for upkeep and maintenance of roads such as the Thermo road. The Board thanked Mr. Maples for his assistance and cooperation in the past.

Linda Noyes, Don Noyes, Mike Berg, James deGraffenried and Susan deGraffenried met with the Board to discuss issues related to the County Fair. Mr. Berg had questions re: liability insurance for the demolition derby. Mr. Barton contacted the Utah Counties Insurance Pool and the County is covered for any event at the Fair, but no coverage extends to Mr. Berg because he is contracting to promote the fair.

Mrs. Noyes discussed the policy of charging for the events. After discussing several options, it was the consensus of the Board to charge \$5.00 per event for the Rodeo and the Demolition Derby.

Kerry Monroe and the Kelly Cox met with the Board to discuss a change order on the M&M Road Project. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously passed to approve the change order. The Board also discussed repairs to other parts of the road not in the construction zone that have been caused by the contractor. Mr. Cox stated that he would be willing to repair any areas damaged by construction.

Craig Davis and Maureen Verhaeren met with the Board to discuss a simple land division application filed by Ms. Verhaeren. Also present was Don Pettit. After discussion, it was determined that the application did not meet the requirements of the county ordinance and was withdrawn.

Bills on file were approved for payment.

There being no further business, the meeting was adjourned.

APPROVED _____
Chairman

Clerk/Auditor

Beaver County
Beaver, UT 84713
August 15, 2005

The Board of County Commissioners met on August 15, 2005 at 10:00 a.m. for its regularly scheduled meeting. Those present were Mark S. Whitney, Chairman; William L. Dalton, Member; Chad W. Johnson, Member; Von J. Christiansen, Attorney; Bryan L. Harris, Commission Assistant; and Paul B. Barton, Clerk/Auditor

Gail Young met with the Board on an employment termination review and appeal hearing. Mr. Christiansen disclosed that he had been the prosecutor of the underlying criminal action that was part of the present personnel action. Ms. Young stated that she waived any conflict pertaining to Mr. Christiansen acting as legal counsel to the Board. The facts surrounding the underlying criminal action were reviewed, with Ms. Young making comments and presenting an explanation for the incident. The materials presented at the pre-termination hearing held on August 4, 2005 were also reviewed. After asking additional questions of Ms. Young, and giving her an opportunity to ask questions of the Board, the Board informed Ms. Young that they would deliberate, and inform her of their decision by the end of the day.

The Board reviewed a proposed dress code for county employees based out of the business offices. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved

to adopt the policy as presented by Mr. Christiansen.

It was moved by Comm. Johnson and seconded by Comm. Dalton to move into closed session at 10:35 a.m. to discuss the character or professional competence of an individual, and deliberate on the employment termination review and appeal hearing regarding Ms. Young. A roll call vote was conducted, with all voting in favor of the motion.

At 10:55 a.m., it was moved by Comm. Johnson and seconded by Comm. Dalton to return to open session. A roll call vote was conducted with all voting in favor of the motion. It was then moved by Comm. Johnson to uphold the prior decision of the Personnel Director to terminate Ms. Young's employment with Beaver County. Comm. Dalton seconded the motion. A roll call vote was conducted with all voting in favor of the motion.

Barbara Christensen, Joyce Barney and Chris Christensen met with the Board to discuss vandalism problems at Puffer Lake. No action was taken.

Maureen Verhaeren, County IT Director, met with the Board to request funding for 3 computers and a printer. Two of the computers are for the jail, one computer for the Building Department and the printer is for the Minersville Court. It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously approved to appropriate \$3,900.00 for the purchases.

Comm. Johnson discussed the need to standardize the hours of operation in the administration building. Some County Offices are closing over the lunch hour, which is inconveniencing the general public. It was moved by Comm. Johnson, and seconded by Comm. Dalton to have Mr. Harris send a letter to the involved offices encouraging them to arrange employee work hours so that each office can remain open over the noon-hour. All voted in favor of the motion.

The Board met with representatives from the Federal Emergency Management Agency (FEMA) to discuss problems and funding on the 2005 flood damage in the county. Those present were Robert Millons, Larry Antonich, Ty Bailey and Warren Albertson. Also present were Doug Erickson, Road Supervisor, and Steve Atkin, Beaver City Manager. This meeting was a start-up meeting to begin assembling documentation for damages suffered from the flood.

There being no further business, the meeting was adjourned.

APPROVED _____
Chairman

Clerk/Auditor
